

AUG 11 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard N. TerrySerial No.: **10/649,595**Filed: **August 26, 2003**Confirmation No.: **4676**Group Art Unit: **1714**Examiner: **Szekely, Peter A.**Docket No. **50220-1162**For: **Antimicrobial Compositions Containing Colloids of Oligodynamic Metals****DECLARATION OF RICHARD N. TERRY
PURSUANT TO 37 C.F.R. §1.132**

Commissioner of Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

Sir,

I, Richard N. Terry, hereby declare that:

- 1) I am the inventor of the invention embodied in the above-identified patent application.
- 2) I am advised that the United States Patent and Trademark Office (USPTO) has rejected one or more claims presently pending in the above-identified patent application based, at least in part, upon U.S. Patent No. 6,596,401 issued to Terry *et al.*
- 3) Any invention disclosed but not claimed in U.S. Patent No. 6,596,401 was invented by me, as I am a co-inventor of U.S. Patent No. 6,596,401.

Application Ser. No. 10/649,595
Customer No. 24504

I hereby declare that all statements made herein are of my own knowledge are true and that all statements are made on information and belief and are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7-27-05
Date


Richard N. Terry

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